

# Exhibit “NNN” to Amended Verified Petition

- b) Truck storage, parking or running areas shall not be located within three hundred (300) feet of a residential district boundary.
- c) Truck terminals and warehouses with eight or more loading docks shall be located on lots in excess of five (5) acres in area.
- d) Truck parking areas in all districts shall be screened from all adjacent properties by a landscaped area twenty-five (25) feet in depth along the property line with a living evergreen screen or with tree plantings suitable to the Planning Board. Such screening area may be waived if the parking area abuts another truck storage area or use which, in the opinion of the Planning Board, does not require screening.

**130-40-30.47 VETERINARIAN:** See ANIMAL HOSPITAL

**130-40-40 SPECIAL EXCEPTION USE AND PUBLIC HEARING PROCEDURE**

**130-40-40.10** Application for a permit authorizing a special exception use shall be made directly to the Planning Board in the form required by the Planning Board accompanied by a filing fee payable to the town clerk and a site plan according to Section 140-50.

**130-40-40.20** The Planning Board shall hold a public hearing within sixty-two (62) days from the time of receipt of the complete application by the Planning Board, and shall provide for the giving of notice at least five (5) days prior to the date thereof in the same manner as provided for in Sections 130-20-20.10 through 130-20-20.40 for applications to the Board of Appeals for variances.

**130-40-40.30** No action shall be taken on applications referred to the Orange County Planning Department until the Department's recommendation has been received or thirty (30) days have elapsed after the Department received the full statement on the applicant's proposal.

**130-40-40.40** Unless otherwise superceded, the provisions of Town Law 274-a and 274-b shall control the Special Exception Use and Site Plan permitting jurisdiction of the Planning Board. Town Law Section 274-a (8) (Chapter 694 of the Laws of 1992, effective July 1, 1993), and Section 274-b (6) (Chapter 694 of the Laws of 1992, effective July 1, 1993) are hereby superceded to the extent that the requirement that every decision of the Planning Board shall be filed in the office of the Town Clerk within five (5) business days of the date such decision is rendered shall be deemed to be the date such written decision is approved by resolution of the Planning Board.

**130-40-40.50** A record shall be established of all special exception uses granted pursuant to action of the Planning Board under this ordinance. Each case shall be identified by a sequential numbering system and alphabetically by applicant's name. Said files shall be available for public inspection.

**130-40-40.60** Upon the granting of a permit for a special exception use by the Planning Board, the Secretary of the Planning Board shall transmit written approval of such use to the Building Inspector prior to his issuance of a building permit for the special exception use.

**130-40-40.70** Building permits authorized by Planning Board actions on special exception cases shall be obtained within ninety (90) days and shall automatically expire if construction under the permit is not started within ninety (90) days of issuance and completed within one year. Extensions of these periods may be granted by the Planning Board where good cause is shown.

**130-40-40.80** The fee for applications to the Planning Board shall be in accordance with the current Town Fee Schedule.

## **SECTION 140 ADMINISTRATION AND ENFORCEMENT**

### **140-10 INTERPRETATION**

In applying and interpreting this Local Law, its provisions shall be held to be minimum requirements adopted for the promotion of the public health, safety, morals, comfort, convenience, or the general welfare. The following specific regulations shall apply:

**140-10-10** A minimum required lot or yard size for one building or structure shall not be used as any part of a required lot or yard for a second structure.

**140-10-20** The required lot or yard for an existing building or structure shall not be diminished below the minimum requirements of this Local Law.

**140-10-30** The parking spaces required for one building or structure or use shall not be included in the computation of required parking spaces for a second building or structure or use.

### **140-20 RELATION OF LOCAL LAW TO OTHER PROVISIONS OF LAW AND TO PRIVATE COVENANTS AND AGREEMENTS**

**140-20-10** Nothing contained in this Local Law shall be taken to repeal, abrogate, annul or in any way impair or interfere with the building code or any rules or regulations adopted or issued thereunder, or any provisions of law or ordinances or regulations existing or as may be adopted in the future, when not in conflict with any of the provisions of this Local Law, nor is it intended by this Local Law to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided however, that when this Local Law imposes a greater restriction upon the use of buildings, structures,